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May 30, 2008

VIA ELECTRONIC MAIL AND BY HAND

The Honorable Vincent J. Poppiti
Blank Rome LLP
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**Re: *Advanced Micro Devices, Inc., et al. v. Intel Corporation, et al.*,
C.A. No. 05-441-JJF;
In re Intel Corp., C.A. No. 05-1717-JJF; and
Phil Paul v. Intel Corporation (Consolidated), C. A. No. 05-485 (JJF)**

Dear Judge Poppiti:

This letter is to provide you with an update on Intel's remediation pursuant to your October 22, 2007 Order Re Intel Corporation and Intel Kabushiki Kaisha's Proposed Remediation Plan ("Order"). This letter is not intended to provide you with an analysis of the results of Intel's remediation plan; instead its purpose is to provide you with updated information on work that has been done.

As you may recall, one aspect of Intel's document preservation plan was the restoration of weekly back-up tapes, which were created beginning in November 2005 ("Weekly Backup Tapes") that contain the Exchange data (e-mails, calendar items, etc.) for certain of the Custodians on Intel's June 1, 2006 Custodian List. On May 23, 2007, Intel provided a detailed spreadsheet with an accounting, on a Custodian-by-Custodian basis, of the existence of Weekly Backup Tapes for each of the 72 weeks between November 6, 2005 and April 8, 2007 ("Weekly Backup Tape Tracker").

As indicated in the May 23 transmittal letter for the Weekly Backup Tape Tracker, the accounting was based on the information collected to that date, which was extensive, but Intel reserved the right to further supplement the accounting with any additional information learned by Intel during its ongoing work. Intel has now conducted an additional review of the Weekly Backup Tape Tracker to confirm the exact dates for which Intel has back up data for each Custodian. This additional process revealed various instances where the original Weekly Backup Tape Tracker had some clerical and transcription errors. As a result, Intel is now submitting an Updated Weekly Backup Tape Tracker (attached as Exhibit 1), which updates the

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tracking information. Overall, the updated information shows that, on a net basis, there were 347 more .pst files than previously indicated.

The majority of the changes are minor as to each Custodian, and typically reflect a small net increase or decrease in the number of the .pst files on the Weekly Backup Tapes recovered for a particular Custodian (i.e., usually a net change of less than five additional .pst files). When the change made resulted in a minor net increase in the number of back up tapes located for a particular Custodian, the change typically can be attributed to a minor (i.e. one-day) discrepancy in date regarding the creation of the Weekly Backup Tape, occurring during the process of creating the original Tracker.¹ When the change made resulted in a minor net decrease in the number of back up tapes located for a particular Custodian, the change typically can be ascribed to the fact that a non-custodian with the same or similar name was present on the back up tape, making it difficult to determine whether the tape contained the Custodian's documents prior to physical examination of the extracted .pst file. In addition, there were a number of transcription errors that have now been corrected in the Updated Weekly Backup Tracker.

There are a few Custodians where the net change in number of .pst files is greater than five, which are described below:

<u>Cruikshank, Ken:</u>	27 fewer .pst files than previously listed contain information for Mr. Cruikshank.
<u>D'Amico, Mike:</u>	8 more .pst files than previously listed contain information for Mr. D'Amico.
<u>Davies, Mel:</u>	6 fewer .pst files than previously listed contain information for Mr. Davies.
<u>Dubreuil, Jean-Marc:</u>	34 more .pst files than previously listed contain information for Mr. Dubreuil.
<u>Foo, Claudia:</u>	45 more .pst files than previously listed contain information for Ms. Foo.
<u>Fravel, Brian:</u>	27 fewer .pst files than previously listed contain information for Mr. Fravel.
<u>Fukuda, Noboru:</u>	7 more .pst files than previously listed contain information for Mr. Noboru.
<u>King, David A.:</u>	9 more .pst files than previously listed contain information for Mr. King.

¹ The Updated Weekly Backup Tape Tracker has been normalized to reflect attribution dates on a weekly basis. For example, if a .pst was dated December 4 and the standard backup was to be run on December 3, then the .pst is attributed to the December 3 date for ease of tracking.

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<u>Ku, Jun Heong:</u>	6 more .pst files than previously listed contain information for Mr. Ku.
<u>Kubasik, Tomasz:</u>	7 more .pst files than previously listed contain information for Mr. Kubasik.
<u>Reynaud, Pierre:</u>	7 more .pst files than previously listed contain information for Mr. Reynaud.
<u>Soubra, Mahmoud:</u>	7 more .pst files than previously listed contain information for Mr. Soubra.

In light of the updated information regarding the Weekly Backup Tapes, Intel also has updated the charts previously submitted as Exhibits E and F to its April 23, 2007 Report and Proposed Remediation Plan (attached as Exhibits 2 and 3), and the Paragraph 8 Custodian Summaries (attached as Exhibit 4).

In addition, Intel's primary vendor, Electronic Evidence Discovery ("EED") has identified approximately 546 (out of over 24,500) .pst files that contained zero to ten items when delivered to EED from First Advantage ("FADV") for loading into the global database (and for which no replacement .pst had already been loaded into the global database as of February 15, 2008).² Intel's vendor (FADV) is now going back to its restored Exchange database to re-examine the corresponding mailboxes that yielded these 546 "empty" .pst files and locate any additional data from these .pst files that was extracted from the Weekly Backup Tapes but not transmitted to EED.

Intel's vendors are working as expeditiously as possible to complete their review of the these .pst files that have been identified, and expect to have their review completed within approximately two to three weeks. As indicated below, some of this work already has been done. Intel will prioritize the work to make sure the Custodians with upcoming deposition dates are early in the queue, and provide AMD and its counsel with an update on any non-duplicative material identified as soon as practical. As an example of the scope of this issue demonstrated by work already done by the vendors, for Custodian Jeff Hoogenboom, there were two "empty" .pst files (for the weeks ending July 2, 2006 and July 30, 2006). FADV has already provided replacement .pst files to EED for those two weeks, which contained data that was then processed by EED. However, after de-duplication and review, there were no new relevant e-mails that need to be produced. In another example, for Custodian Paul Otellini, there were four "empty" .pst files (for the weeks ending April 2, 2006, June 25, 2006, July 2, 2006 and July 30, 2006). After these four .pst files were re-processed, Intel determined there were 85 relevant, non-duplicative e-mails to be produced from the files that pre-date June 1, 2006. This represents approximately 0.4% of the total volume of e-mails produced for Mr. Otellini to date.

² There were additional .pst files received by EED with zero to ten emails, but for which EED already had received and loaded a replacement .pst file for the same week prior to February 15, 2008.

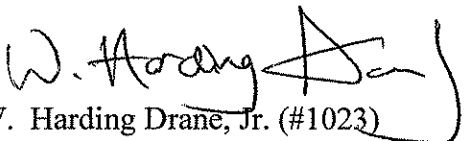
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In addition, Intel has become aware of approximately 14 .pst files for which EED received a .pst file with greater than ten emails, but for which there appears to be replacement .pst files with a larger volume of data. Intel's vendors are working on obtaining the replacement .pst files and will load them into the global database.

One other update relates to the sources of materials loaded into the global database for purposes of remediation. In addition to the sources identified in Intel's Proposed Remediation Plan, and the October 22, 2007 Order regarding remediation, emails from Intel's EMC Archive have been loaded for certain Custodians for the time period December 2006 to March 2007. By way of background, in December 2006 Intel implemented, for testing purposes, two e-mail journaling/archive systems, one of which was the EMC Archive that was ultimately selected by Intel as its long-term journaling/archive system. In that connection, Intel's IT Department moved a number of Custodians to the EMC Archive in December 2006 and, at the same time, ceased the practice of pulling Weekly Backup Tapes for those Custodians. For these Custodians, Intel has loaded into the global database the data captured by the EMC Archive during the period December 2006 to March 2007 in lieu of the Weekly Backup Tapes for that period.

Intel has undertaken its remediation program pursuant to your October 22, 2007 Order, and has continued to review and monitor the program. The purpose of this letter is to provide updated information with respect to the work that has been done. If you, or your consultants, or AMD have any questions about this updated information, Intel will address them promptly upon receipt.

Respectfully submitted,


W. Harding Drane, Jr. (#1023)

WHD/nmt
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Enclosures

cc: Clerk of Court (via Hand Delivery)
Counsel of Record (via CM/ECF & Electronic Mail)